

DELEGATION OF AUTHORITY TO ACT ON PROPOSED DECISIONS

I, John R. Castello, Chief Administrative Law Judge for the California Department of Social Services (CDSS), delegate to [ALJ's Name], Administrative Law Judge II for the CDSS, my authority to act on proposed decisions for the CDSS and the California Department of Health Services (CDHS). Pursuant to Welfare and Institutions Code (W&IC) §10959, this delegation shall include the power to adopt proposed decisions except as specified below, to issue alternate decisions, and to order further hearings. This delegation applies to all proposed decisions of Administrative Law Judges I and II submitted to the Department on or after August 12, 1999. This delegation shall be effective until withdrawn in writing.

This delegation shall not include the authority to adopt proposed decisions on behalf of the CDSS or the CDHS which:

- A. are based on constitutional grounds, overrule statutes or promulgated regulations, overrule CDSS Precedent Decisions, or overrule or make exceptions to CDSS or CDHS policy; or
- B. involve the following (1) cases, except for disability determinations, based on other than state regulations (i.e., statutes, federal regulations, or case law); (2) cases with issues related to the In-Home Medical Care program; (3) cases with issues involving beneficiaries who are covered by a Medi-Cal prepaid health plan, county organized health system, primary care case management contract or other managed health care plan and relate to contractual matters which might include medical necessity, utilization control, access to care, benefit coverage, payment of claims, health plan enrollment or disenrollment, health plan marketing activity or the health care options program; (4) cases with issues related to Early & Periodic Screening Diagnosis and Treatment (EPSDT) benefits; (5) all orthodontic related cases; (6) particular cases, as identified by either Department, which are novel or unusual; sensitive or controversial in nature; or involve new program issues as identified by either Department; and (7) any decision that addresses a Medi-Cal issue and that is also being prepared as a proposed decision for purposes of review by the director of another department or agency, including but not limited to decisions concerning the Personal Care Services Program.

Proposed decisions adopted by Administrative Law Judge [ALJ's Name] pursuant to this delegation shall be treated, for all purposes, as decisions of the Director of the Department identified on the cover page of such decisions. Proposed decisions shall be considered adopted pursuant to this delegation on the date shown on the Department's stamp on the cover page of such decisions. Alternate decisions shall be considered effective pursuant to this delegation upon signing and dating by Administrative Law Judge [ALJ's Name] on behalf of the Director.

**ORIGINALS SIGNED BY
JOHN R. CASTELLO**

Date

JOHN R. CASTELLO, Chief Administrative Law Judge
State Hearings Division
California Department of Social Services